IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8903 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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AVKAR CO.OPERATIVE HOUSING SOCIETY,THROUGH ITS SECRETARY

Versus

STATE OF GUJARAT, NOTICE TO BESERVED THGROUGH THE SECRETARY

Appearance:

1. Special Civil Application No. 8903 of 1990

MR RM CHHAYA for MR BP TANNA for Petitioner No. 1-3

DELETED for Petitioner No. 4

MR PR ABICHANDANI, A.G.P. for Respondent No. 1

RULE SERVED for Respondent No. 2

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 07/08/2002

ORAL JUDGEMENT

Having heard the learned Counsel Shri Chhaya for Shri Tanna for the petitioner and Shri P.R.Abichandani, learned A.G.P. for the respondent No.1 and having perused the averments made in the petition as well as Reply Affidavit, I am of the considered opinion that the

prayer made in this petition cannot be granted. Shri Chhaya, learned Counsel for the petitioner, however, rightly submitted that if the petitioners make proper representation to the concerned Authority then the concerned Authority be directed to consider the representation and decide it sympathetically and in accordance with law. This could hardly be objected by Shri P.R.Abichandani, learned A.G.P.

2. In view of the above, while disposing of this petition, it is made clear that if the petitioners make proper representation to the concerned Authority within one month from today then the same may be considered and decided by the concerned Authority sympathetically and in accordance with law as early as possible, preferably within 3 months from the date of receipt of said representation.

3. In view of the above, this petition is disposed of. Interim relief vacated. Rule discharged. No order as to costs.

Date : August 07, 2002 (B.J.Shethna, J.)

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